IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.508 OF 2005
IN
SUMMARY SUIT NO.1177 OF 2005

Bhagwan T. Khilnani ....Plaintiff
V/s.
Prabhudas Hirji & Sons & Ors. ....Defendants

Ms.Lakshmi Swaminathan for the Plaintiff.
Mr.S.K. Chaurasia i/b Mr.A.M. Saraogi for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 12TH DECEMBER, 2005.

P.C. :

1. The suit is filed to recover an amount of Rs.1,31,500/- together with interest on Rs.1,00,000/-.

2. Defendant No.1 is the drawer of a bill of exchange. Defendant No.2 is the acceptor of the bill of exchange. Defendant Nos.3 and 4 are the partners of Defendant No.2. The execution of the bill of exchange is not denied. A cheque issued by Defendant No.1 towards repayment of the amount was dishonoured. The fact that the erstwhile Karta of the first Defendant HUF had expired would make no defence as the HUF continues.

2. There is no reply to the Plaintiff’s notice of demand. There is no defence to the suit.

3. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed as prayed with costs.

. Refund as per rules.